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SUPERIOR COURT FOR THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

SAUL HUDSON p/k/a SLASH, an individual, and MICHAEL McKAGAN p/k/a DUFF, an individual, individually and on behalf on GUNS N' ROSES, a California General Partnership,

Plaintiff,

vs.

W. AXL ROSE, an individual, and DOES 1 through 40, inclusive,

Defendant.

W. AXL ROSE, an individual,

Cross-Complainant,

vs.

SAUL HUDSON, an individual, and MICHAEL McKAGAN, an individual, and ROSE 1 through 50, inclusive,

Cross-Defendants.

Case No. SC 081543

DEFENDANT AND CROSS-COMPLAINANT W. AXL ROSE'S RESPONSE TO PLAINTIFF AND CROSS-DEFENDANT SAUL HUDSON'S FIRST SET OF SPECIALLY PREPARED INTERROGATORIES

Propounding Party: Plaintiff and Cross-Defendant SAUL HUDSON

Responding Party: Defendant and Cross-Complainant W. AXL ROSE

Set No.: One

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PRELIMINARY STATEMENT

The following responses and objections to Saul Hudson's ("Hudson") Interrogatories are made on the basis of information that is presently known and available to W. Axl Rose ("Rose"), and may include hearsay information and other information that is inadmissible at trial. Rose expressly reserves the right to continue his discovery and investigation herein for facts, documents, witnesses, and supplemental data that may reveal information which, if presently within his knowledge, would have been included in these responses and objections. Rose specifically reserves the right to present additional information at trial, as may be disclosed through continuing investigation and discovery, and specifically reserves the right to supplement or modify these responses at any time in light of subsequently discovered information or documents.

The following responses and objections are made without waiving but, on the contrary, preserving (a) the right to raise in any subsequent proceeding or in the trial of this or any other action all questions of authenticity, foundation, relevancy, materiality, privilege, and evidentiary admissibility of any document identified or produced in response to the Interrogatories; (b) the right to object on any ground to the use or introduction into evidence of any information in any subsequent proceeding or in the trial or any other action on any ground; and (c) the right to object on any ground at any time to other Interrogatories or other discovery.

GENERAL OBJECTIONS

Each of the following General Objections is incorporated into each and every one of Rose's responses and objections to Hudson's Interrogatories.

Rose objects to each and every Interrogatory on the ground that each such Interrogatory attempts to incorporate the Definitions and Instructions contained in Hudson's Interrogatories directed to Rose and those Definitions and Instructions: (a) render the Interrogatories overbroad, vague, unintelligible, ambiguous, compound, and not specified with reasonable particularity; (b) impose upon Rose an unreasonable burden of comparing each request with those Definitions and Instructions, and (c) are calculated to oppress and harass rather than to lead to the discovery of admissible evidence. Rose will not be bound, therefore, by those Definitions and Instructions, but

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will respond to the Interrogatories, to the extent not objected to, in accordance with the relevant provisions of law and of California Civil Procedure Code § 2031, and in accordance with what Rose understands to be their fair intent.

Rose also objects to each and every Interrogatory to the extent that each such Interrogatory seeks information about "any" or "all" writings or documents on the ground that each such request is vague, ambiguous and overbroad, seeks documents nor reasonably calculated to lead to the discovery of admissible evidence and would subject Rose to oppression, harassment and unreasonable burden and expense incommensurate with Roses' legitimate discovery needs. See Calcor Space Facility Inc. v. Superior Court, 53 Cal. App. 4th 216 (1997).

Rose also objects to each and every Interrogatory to the extent they call for information protected from disclosure by a claim of privilege, including but not limited to, the attorney-client privilege or information subject to attorney work product protection, the privilege for settlement discussions and offers of compromise, and any other privilege or immunity recognized in this jurisdiction. Specific references to such privileges in response to specific Interrogatories do not waive such privileges with respect to other Interrogatories. If Rose inadvertently produces any information or documents protected by the attorney-client privilege, the work product doctrine, or other privilege or protection, such production is not intended to and shall not operate as a waiver of this objection and such document will be subject to return on demand.

Rose also objects to each and every Interrogatory to the extent they call for information not in Rose's possession, custody, or control or attempts to extend the definition of possession, custody, and control beyond that required by law.

Rose also objects to each and every Interrogatory to the extent they seek the production of sensitive and confidential personal information, the response to which would infringe upon the legitimate, reasonable privacy, contractual, and confidentiality interests of named individuals and/or third party non-litigants to an extent incommensurate with Roses' legitimate discovery needs.

Rose also objects to each and every Interrogatory on the grounds that they are unduly burdensome, oppressive, overbroad, and duplicative; intended to harass; and are not in compliance

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with the rules, spirit, and policy of the California Discovery Act, California Civil Procedure Code §§ 2016 et seq.

Rose also objects to each and every Interrogatory to the extent they seek information not reasonably calculated to lead to the discovery of admissible evidence.

Rose also objects to each and every Interrogatory to the extent they seek information that is not relevant to the subject matter of the instant action.

Rose also objects to each and every Interrogatory to the extent they violate Rose's rights guaranteed under the United States Constitution and the California Constitution.

Rose also objects to each and every Interrogatory to the extent they seek proprietary, commercially sensitive, or other confidential information. The response to such an Interrogatory will be subject to the entry of an appropriate protective order.

Rose also objects to each and every Interrogatory to the extent they seek the information that is equally available to Hudson from other sources.

Rose's response to any Interrogatory is not an admission or acknowledgment that such information is relevant to the subject matter of this action. Further, such response is without prejudice to and not a waiver of (a) the attorney-client privilege or the work product doctrine; (b) Rose's right to contend at any proceeding arising from or related to the subject matter of this action that such information is privileged, inadmissible, irrelevant, immaterial, or not a proper basis for discovery; and (c) any objection by Rose to any future use of such information.

SPECIAL INTERROGATORY NO. 1:

Identify with specificity each written partnership agreement to which the PARTIES were (or are) signatories, including all modifications and amendments thereto whether written or oral, (For purposes of these Interrogatories, the term the "PARTIES" refers collectively to defendant and cross-complainant W. Axl Rose, plaintiff and cross-defendant Saul Hudson p/k/a Slash and plaintiff and cross-defendant Michael "Duff" McKagan.).

RESPONSE TO SPECIAL INTERROGATORY NO. 1:

Rose objects to this Interrogatory on the grounds that it seeks information not reasonably

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SPECIAL INTERROGATORY NO. 8:

Identify with specificity all partnerships in which ROSE was or is a partner relating to GUNS N' ROSES. (In responding to this interrogatory, specify for each partnership the name of the partnership; the purpose of the partnership; the date the partnership was established; the identities of the other partners; the dates each partner was a member of the partnership; and the current legal status of the partnership, e.g., whether it remains in existence, or was dissolved, terminated or otherwise).

RESPONSE TO SPECIAL INTERROGATORY NO. 8:

Rose objects to this Interrogatory on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence and is overbroad, vague and ambiguous.

Notwithstanding the above objections, Rose states that he is a partner in Guns N' Roses as evidenced by the 1992 Partnership Agreement along with Hudson and McKagan and that partnership remains in existence.

SPECIAL INTERROGATORY NO. 9:

For each partnership identified in response to the Interrogatory Number 8, state with specificity the basis for your contention regarding the current legal status of the partnership.

RESPONSE TO SPECIAL INTERROGATORY NO. 9:

Rose objects to this Interrogatory on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence and is overbroad, vague and ambiguous.

Notwithstanding the above objections, Rose state that the parties' course of conduct proves that Rose is still a member of the partnership. In addition, the documents, including the Partnership Agreement, the Stradlin Agreement, the Gilbert letter and documents produced in this case relating to the approval and/or disapproval of licenses prove that the partnership remains in existence.

SPECIAL INTERROGATORY NO. 10:

For each partnership identified in response to interrogatory number 8, identify all

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excessive number of interrogatories served.

Notwithstanding these objections, Rose states: a copy of the Sanctuary/Kobalt Agreement has been produced which contains warranties and representations. Any other communication that may have been made relating to the agreement is either privileged or not reasonably calculated to lead to the discovery of admissible evidence.

SPECIAL INTERROGATORY NO. 99:

Describe with specificity all monies and other consideration received by YOU relating to the licensing or other exploitation of any songs of GUNS N' ROSES that have not been reported to the PARTNERSHIP. (Include in your response, the source and amount of monies and other consideration, the date you received the monies and other consideration, and the reason you did not report the monies and other consideration to the PARTNERSHIP.)

RESPONSE TO SPECIAL INTERROGATORY NO. 99:

Rose objects to this Interrogatory on the grounds that it seeks information not reasonably calculated to lead to the discovery of admissible evidence and is overbroad, vague and ambiguous. Rose also objects on the grounds that Hudson has served more than the amount of permissible interrogatories under the Code of Civil Procedure, and Hudson has not properly justified the excessive number of interrogatories served.

Notwithstanding the above objections, Rose states non-privileged documents in Rose's possession, custody and control responsive to this Interrogatory (if any) have been or will be produced.

Dated: June 15, 2005

PROSKAUER ROSE LLP
Bert H. Deixler
Hayes F. Michel

By: _____
Hayes F. Michel

Attorneys for Defendant and Cross-Complainant
W. AXL ROSE